

03500.016038



PATENT APPLICATION

#17  
AB  
6/2/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: Examiner: R. Mack  
KOICHI HARA )  
: Group Art Unit: 2873  
Application No.: 10/021,087 )  
:   
Filed: December 19, 2001 )  
:   
For: DISPLAY UNIT, DISPLAY )  
METHOD, AND DISPLAY )  
INSTRUMENT EMPLOYING )  
THE SAME : May 29, 2003

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In the Office Action dated April 29, 2003, the Examiner entered an election of species requirement. Species I, Claims 1-13, is drawn to an embodiment having plate-shaped illumination means. Species II, Claims 14-25, is drawn to an embodiment having a reflection-type display. Claim 26 is generic. Applicant respectfully traverses the election of species requirement.

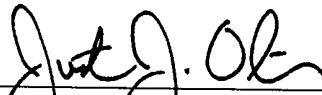
Applicant submits that the embodiments in the different species are so closely related as to not require separate fields of search. A duplicative search, with possibly inconsistent results, may occur if the election of species requirement is maintained. In addition, any nominal burden placed upon the Examiner to perform a

search for the overall invention is outweighed by the public interest in not having to obtain and study separate patents that may issue from Applicant's invention if the requirement is maintained. Applicant also notes that the entry of an election of species requirement is not mandatory in all instances, even where it is possible to do so. Rather, the Examiner may use discretion and choose not to make an election of species requirement where circumstances warrant. Applicant believes that such is the case in the subject application.

Nevertheless, Applicant provisionally elects, with traverse, to prosecute the invention of Species I, Claims 1-13, and generic Claim 26.

Applicant's undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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